

Section 115 - The Council, Officers and Surety Bonds

115.01 The Council. The Council will consist of a Mayor and four Council Members.

115.02 Regular Meetings. Regular meetings of the Council will be held on the first and third Tuesday of each month at 7:00 P.M. Any regular meeting falling on a holiday will be held on the following day at the same time and place, unless otherwise specified by the Council. All meetings will be held at City Hall unless otherwise specified by the Council.

115.03 Special Meetings. The Mayor or any two members of the Council may call a special meeting of the Council upon at least 24 hours written notice to each Council Member. The notice shall be mailed to all Council Members at least one day before the meeting, or be delivered personally to each Council Member or be left at the Council Member's usual place of residence with some responsible person. The notice shall specify the business to be transacted at the special meeting. A copy of the notice shall be posted on the bulletin board at City Hall. Only business specified in the notice shall be transacted at the special meeting unless all Council Members are present and unanimously consent to additional business being transacted. Any Council Member present at any special meeting, or who received the notice thereof, who fails to object and have the objection entered in the record of the special meeting shall be conclusively presumed to have consented to the transaction of all business transacted at the meeting, and no later objection may be made that the notice of the special meeting was defective. A Council Member who is not present at a special meeting shall not, by such absence, be deemed to have given approval or disapproval of any action taken at the special meeting.

115.04 Public Meetings. All Council meetings, including special and adjourned meetings and meetings of Council committees, will be open to the public, except as otherwise determined by the Council and allowed by State law.

115.05 Presiding Officer.

Subd. 1 **Who Presides.** The Mayor will preside at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem will preside. In the absence of both, the Manager will call the meeting to order and will preside until the Council Members present choose one of their number to act temporarily as presiding officer. The presiding officer (except the Manager) may make motions, second motions, speak and vote on any question.

Subd. 2 **Procedure.** The presiding officer will preserve order, enforce the Council's rules of procedure, and determine without debate, subject to the final decision of the Council on appeal, all questions of procedure and order. Except as otherwise provided by State Law, this Code, or by rules adopted by resolution of the Council, the proceedings of the Council will be conducted according to Roberts Rules of Order.

Subd. 3 **Appeals.** Any Council Member may appeal to the Council a ruling of the presiding officer. The appeal will be sustained if approved by a majority of the Council Members present.

115.06 Minutes.

Subd. 1 **Recording.** Minutes of all Council meetings will be prepared and kept by the Clerk or other person designated by the Council. Ordinances, resolutions, and claims need not be recorded in full in the minutes if they appear in other permanent records of the Clerk and can be accurately identified from the description given in the minutes.

Subd. 2 **Approval.** The minutes of each meeting will be reduced to typewritten form, will be signed by the Clerk or acting Clerk, and will be delivered to the Council Members. At the next regular Council meeting following the delivery, approval of the minutes will be considered by the Council, with any proposed additions or corrections.

115.07 Order of Business. Each meeting of the Council will convene at the appointed time and place. Council business will be conducted in such order as the Council shall determine, from time to time, by resolution. The order of business may be varied in the discretion of the presiding officer, but all public hearings will be held at the time specified in the notice of hearing, or as soon thereafter as is allowed by matters which are prior in the order of business.

115.08 Agenda. An agenda of business for each regularly scheduled Council meeting shall be prepared by the Clerk at the direction of the Manager and filed in the office of the Clerk. The Mayor may direct exclusion or inclusion of any item on any agenda. The agenda shall be prepared according to the required order of business and copies shall be delivered at least to each Council Member and the City Attorney. Any item of business raised by a Council Member under an agenda heading of "Concerns of Mayor and Council" or similar heading, and any item of business raised by the Manager under an agenda heading of "Manager's Miscellaneous Items" or similar heading, shall be deemed appearing on the agenda as an agenda item.

115.09 Voting. A majority vote of all members of the Council is necessary for approval of any ordinance unless a larger number is required by Statute or this Code. Except as otherwise provided by Statute or this Code, a majority vote of a quorum will prevail in all other cases.

115.10 Ordinances, Resolutions, and Petitions.

Subd. 1 **Readings.** Every ordinance shall be presented in writing, except in emergency situations. Every ordinance shall receive two readings before the Council prior to final adoption. The two readings shall be at Council meetings held on different days. The second reading may be waived by an affirmative vote of not less than four Council Members.

Subd. 2 **Signing and Proof of Publication.** Every ordinance passed by the Council will be signed by the Mayor, attested by the Clerk, numbered, recorded and filed in an ordinance book. Proof of publication will be attached to and filed with the ordinance. No resolution will be published unless State Law requires it to be published or unless it is directed to be published by the Council.

Subd. 3 **Repeals and Amendments.** Every ordinance repealing or amending all or a part of a previous ordinance will give the number of the ordinance or Code Section to be repealed or amended.

Subd. 4 **Petitions.** Every petition or other communication addressed to the Council will be in writing and will be presented to the Council. Each petition shall be recorded in the minutes by reference.

115.11 Duties of Clerk and of Treasurer. The offices of Clerk and of Treasurer are hereby established. The duties of each shall be such as are prescribed for those positions by State Law and by the Manager. The Clerk shall act as secretary of the Council.

115.12 Surety Bonds. The Clerk and the Treasurer shall furnish corporate surety bonds conditioned for the faithful exercise of their duties and the proper application and payment upon demand of monies officially received by them. Such surety bonds shall also be furnished by such other officers and employees of the City as may be required by the Manager. Unless otherwise prescribed by State Law, the amount of such bonds shall be fixed by the Council and the premium thereon shall be paid from City funds.

History: Ord 101 codified 1970; amended by Ord 101-A1 8-24-77; Ord 101-A2 2-15-78; Ord 2011-05, 05-03-2011

Reference: M.S. 412.111, 412.191, Subd 1 and 2; 471.705